

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DONALD E. PALLETT,

Defendant.

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8:10CR286

ORDER

This matter is before the court on the court's own motion concerning the competency of the defendant, Donald E. Pallett (Pallett), based on Pallett's behavior demonstrated at the initial appearance before the court on September 28, 2010. The court has reasonable cause to believe that the defendant may be suffering from a mental disease or defect rendering him mentally incompetent to the extent he is unable to understand the proceedings against him or to assist properly in his defense. Accordingly, the court orders a psychiatric evaluation of the defendant pursuant to 18 U.S.C. § 4241.

IT IS ORDERED:

1. Pursuant to 18 U.S.C. § 4241, Donald E. Pallett is committed to the custody of the Attorney General for placement in a suitable facility to be examined for a reasonable period of time, not to exceed thirty (30) days, to determine whether Pallett is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.
2. A psychiatric or psychological report shall be filed with the court with copies provided to counsel of record and the defendant at the completion of the period of examination.
3. Upon receipt by the court, counsel, and defendant of the examination report, a hearing pursuant to 18 U.S.C. § 4247(d) shall be promptly scheduled to determine the competency of Pallett to stand trial in this matter.

DATED this 28th day of September, 2010.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge